

FILING DOCUMENTS CONTAINING PERSONAL IDENTIFIERS IN A CRIMINAL CASE

According to Fed. R. Crim. P. 49.1, in addition to filing a redacted version of the document in ECF, a party filing a document containing personal data identifiers may also:

1. File an unredacted document under seal without seeking leave of the court in accordance with Section IV, Part D, Subparts 4-6 of the Criminal ECF Procedure Guide regarding filing documents under seal,

OR

2. File a reference list under seal without seeking leave of the court in accordance with Section IV, Part D, Subparts 4-6 of the Criminal ECF Procedure Guide regarding filing documents under seal. The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) used in its place in the filing.

To file documents containing personal identifiers:

1. File the redacted version of the document electronically in ECF - including the following in the title of the document:

REDACTED PURSUANT TO FED. R. CRIM. P. 49.1

2. Print the Notice of Electronic Filing (NEF) for the redacted version and attach the sealed version or list.
3. File and seal the unredacted version or list as follows:
 - a. File unredacted version or list under seal in paper with the clerk's office. Do not file copy of redacted version in paper - the filer shall file the redacted version electronically in ECF (see step 1 above).
 - b. Include one conventional courtesy copy of *sealed* document with the original sealed document for the Judge or Magistrate Judge.
 - c. Unredacted version or list must clearly state the following in the document heading:

**SEALED PURSUANT TO FED. R. CRIM. P. 49.1 - UNREDACTED
DOCUMENT** (Redacted Document Filed in ECF as Document #
[number])

OR

SEALED PURSUANT TO FED. R. CRIM. P. 49.1 - REFERENCE LIST (Redacted Document Filed in ECF as Document # [number])

- d. The paper original of the *sealed* document shall be filed with the clerk's office **before 5:00 p.m.** on the due date.
 - e. Serve the *sealed* document conventionally, with a copy of the Notice of Electronic Filing (NEF), on all parties who are entitled to service, if any. The e-notice of the court's receipt of these documents shall not constitute service.
 - f. File a Certificate of Service, if required, in ECF for both the redacted version and the sealed documents.
4. The Clerk will note receipt of the sealed unredacted version and/or reference list on the record as follows:
- a. Pursuant to Fed. R. Crim. P. 49.1, an unredacted version of this document has been filed under seal with the clerk. SEALED DOCUMENT RECEIVED ON [DATE].
- OR
- b. Pursuant to Fed. R. Crim. P. 49.1, a reference list of personal identifiers and codes used in this document has been filed under seal with the clerk. SEALED DOCUMENT RECEIVED ON [DATE].
5. The sealed unredacted version and/or reference list shall be retained by the court as part of the record.